

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-22 are pending. Claim 20 is amended. Claims 1, 13, 17, 20, and 21 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Reasons for Entry of Amendments

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims and arguments presented herein place the application in condition for allowance. As the Examiner will note, the only independent claim 20 has been amended herein, independent claim 20 being amended merely to address an issue under 35 U.S.C. 112, second paragraph. Thus, no new issues have been raised that would require an additional search or further examination by the Examiner.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment reduces the issues on appeal by placing the claims in compliance with 35 U.S.C. § 112, second paragraph. This Amendment was not presented at an earlier date in view of the fact that the Examiner has just now presented new grounds for rejection in this Final Office Action.

Rejections Under 35 U.S.C. § 101 and 35 U.S.C. § 112, second paragraph

Claims 20 stands rejected under 35 U.S.C. § 101 and 35 U.S.C. § 112, second paragraph as failing to recite a positive functional interrelationship between the medium and the activities recited. This rejection is respectfully traversed.

While not conceding the appropriateness of the Examiner's rejections, but merely to advance prosecution of the instant application, Applicants respectfully submit that independent claim 20 has been amended to recite a method for executing a predetermined procedure in a computer, comprising the steps of:

generating order information regarding image data to be printed, said order information including at least said image data to be printed, information indicating a print size of said image data, and information indicating a print quantity of said image data;

reading access information indicating at least a specific photograph processing agency available to access and an order reception server installed in said specific photographic processing agency, and utilized for directly accessing said order reception server; and

transferring the order information to said order reception server installed in said specific photograph processing agency by directly accessing the order reception server according to said access information.

The Applicants respectfully submit that independent method claim 20, as amended, particularly points out and distinctly claims the subject matter which Applicants regard as the invention. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C. §102(e) and §103(a)

Claims 20 and 21 stand rejected under 35 U.S.C. §102(e) as being anticipated by Fredlund et al. (U.S. 6,812,962);

claims 1, 2, 6-13, 15-18, and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nardoizzi et al. (U.S. 6,636,837) in view of Jebens et al. (U.S. 6,321,231); and

claims 3-5, 14, and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nardoizzi et al. in view of Jebens et al. in view of Fredlund et al. These rejections are respectfully traversed.

A complete discussion of the Examiner's rejections is set forth in the Office Action, and is not being repeated here.

Arguments Regarding Independent Claims 20 and 21

As noted above, independent claim 20 has been amended merely to address an issue under 35 U.S.C. §112, second paragraph. Other than this change, the Applicants respectfully submit that each of independent claims 20 and 21 as currently written recites a combination of features not taught or suggested by the reference cited by the Examiner. Each of independent claims 20 and 21 recites a combination of features including *inter alia*

“access information indicating at least a specific photograph processing agency available to access”.

Applicants respectfully submit that the combination of features as set forth in each of independent claims 20 and 21 is not disclosed or made obvious by the prior art of record, including Fredlund et al.

The access information of the present invention is “information deriving an electronic address where the order information is sent”. It is characteristic of the present invention to connect the above electronic address where the order information sent with information which is known by a customer and indicates how to physically access to a photograph processing agency (location, how to get there, etc.). In the present invention, “the photograph processing agency” is a store, not only where the customer gives and receives the printed/developed photograph, but also where the order information is sent.

The Examiner asserts that the confirmation file disclosed by the Fredlund et al. reference (see column 5, line 24) teaches “access information” of the present invention. However, the confirmation file described in Fredlund et al. is not information which is capable of deriving an electronic address where the order information is sent. Moreover, the confirmation file is not connected with information indicating the physical location of the store.

At least for the reasons explained above, the Applicants respectfully submit that the combination of features as set forth in each of independent claims 20 and 21 is not disclosed or made obvious by the prior art of record, including Fredlund et al.

Therefore, independent claims 20 and 21 are in condition for allowance.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §102(e) are respectfully requested.

Arguments Regarding Independent Claims 1, 13, and 17

The Applicants respectfully submit that each of independent claims as currently written sets forth a combination of features not taught or suggested by the references cited by the Examiner.

For example, independent claim 1 has been amended to recite a combination of elements in a print order system including *inter alia*

order reception servers enabling reception of order information regarding image data via a network and installed respectively in a plurality of photograph processing agencies each having a photographic printer for printing the image data; and

an order terminal connected to each of the order reception servers in the plurality of photograph processing agencies via the network.

In addition, independent claim 13 recites a combination of elements in a printing system including *inter alia*

wherein the order reception server (in the photograph processing agency) transfers the order information to another order reception server in another photographic agency.

In addition, independent claim 17 recites a combination of elements in a order terminal including *inter alia*

the order terminal being connected to each of a plurality of order reception servers in a plurality of other photographic processing agencies via a network.

processing agency, and utilized for directly accessing said order reception server; and

Applicants respectfully submit that the combination of features as set forth in each of independent claims 1, 13, and 17 is not disclosed or made obvious by the prior art of record, including Nardozzi et al. and Jebens et al.

First of all, the Examiner concedes (page 5 of the Office Action) that Nardozzi et al. does not explicitly disclose "each of the order reception servers in the plurality of photographic agencies".

The Examiner, however, then asserts that Jebens et al. teaches "each of the order reception servers in the plurality of photographic agencies" (col. 22, lines 24-25).

Regarding the jobbers/suppliers 16 disclosed in Jebens et al., the Applicants respectfully submit that they do not correspond to the plurality of photographic processing agencies of the present invention. In the system provided by Jebens et al., the host server 10 is installed in neither the jobbers nor the suppliers 16. Further, the provider server 14 is installed in neither jobbers nor suppliers 16 of Jebens et al. Therefore, the Applicants respectfully submit that Jebens et al. does not teach or suggest "order reception servers enabling reception of order information regarding image data via a network and installed respectively in a plurality of photograph processing agencies each having a photographic printer for printing the image data." Therefore, it is not proper to combine the server 39 of Nardozzi et al. with the jobbers/suppliers 16 of Jebens et al.

The Applicants respectfully submit that the Examiner has failed to establish a *prima facie* case of obviousness based on the combination of Nardozzi et al. and Jebens et al.

The Applicants cannot find “order reception servers in a plurality of photograph processing agencies” (as presently claimed) in either the jobbers or the suppliers 16 of Jebens et al.

Accordingly, one of ordinary skill in the art would not be motivated to look to Jebens et al. to look for “order reception servers enabling reception of order information regarding image data via a network and installed respectively in a plurality of photograph processing agencies” as presently claimed

As a result, the Office Action fails to provide proper motivation to look to Jebens et al. to modify the primary reference Nardozzi et al.

Inasmuch as neither Nardozzi et al. nor Jebens et al. teach or suggest “order reception servers enabling reception of order information regarding image data via a network and installed respectively in a plurality of photograph processing agencies” as presently claimed, no combination of these two references can suggest the present invention as set forth in each of claims 1, 13, and 17.

While not used in the rejection of claims 1, 13, and 17, the Fredlund et al. document does not make up for the deficiencies of Nardozzi et al. and Jebens et al. with regard to the subject matter of claims 1, 13, and 17.

At least for the reasons explained above, the Applicants respectfully submit that the combination of elements/steps as set forth in each of independent claims 1, 13, and 17 is not disclosed or made obvious by the prior art of record, including Nardozzi et al. and Jebens et al.

Therefore, each of independent claims 1, 13, and 17 is in condition for allowance.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

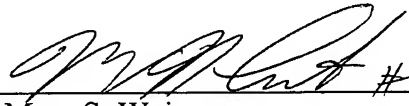
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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